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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,724	09/10/1999	W. K. MEADE II	10990944-1	3204

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EXAMINER

TRAN, DOUGLAS Q

ART UNIT PAPER NUMBER

2624

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/393,724

Applicant(s)

MEADE ET AL.

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 4/10/03 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/393,724 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Maniwa (US Patent No. 5,933,584).

As to claim 1, Maniwa teaches an apparatus (i.e., a print server "PS" 106 in fig. 1) for tracking usage information for an image forming device (i.e., col. 13, lines 48-51), comprising:

an image-forming device (112 in fig. 1);

processing circuitry (i.e., print server software would be stored in the processing circuitry in 106 of fig. 2) associated with the image-forming device:

computer program code (i.e., print server software in 106 of fig. 2) implemented on the processing circuitry and operative to count page-area (an image area on the page "col. 13, lines 56-57") and toner coverage (col. 13, lines 54-55) at the image forming device collected on a print job by print job basis (i.e., a print job, col. 13, line 51) ; and

memory (i.e., database) coupled with the processing circuitry and operative to store a data file (i.e., accounting data file) containing the user information (i.e., each user, "col. 13, line 55"), the output job information (i.e., page size, number of sheets, a software font "col. 48-49, 53"), and the usage information comprising total page area (i.e., font and image on the page and number of page on the print job) and toner used (i.e., a quantity of toner "col. 13, lines 54-57").

As to claim 2, Maniwa teaches the data file comprising cost accounting information of consumables utilized by the image forming device when generating output jobs (note: the result of accounting information of print job when the print job is completed in the printout at the printer "col. 13, lines 29-32).

As to claim 3, Maniwa teaches the total page area comprises paper usage and the output job information comprises information detailing a print job (i.e., image on page, number of pages is used).

As to claim 4, Maniwa teaches a tracking apparatus configured to implement hybrid pull-push gathering of transaction details from the image-forming device including consumable usage information (col. 13, lines 45-57).

As to claim 6, Maniwa teaches a user interface configured to receive unique user id information from a user at the image forming device, wherein the processing circuitry receives the user id information and merges the user id information with cost data upon job completion (col. 13, lines 34-35).

As to claim 16, Maniwa teaches the method is performed by the apparatus claim 1 as indicated above.

As to claim 17, Maniwa teaches of storing the consumable usage data in the memory (i.e., database) comprises storing the page usage and the toner usage in the memory associated with the data identifying the user and the print job (col. 13, lines 50-55)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 7-9 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Maniwa (US Patent No. 5,933,584) and Davidson, Jr. et al. (US Patent No. 6,025,925).

As to claim 5, Maniwa teaches every feature in claim 1.

However, Maniwa does not teach a plurality of image forming devices, and wherein the tracking apparatus polls the image forming devices to collect transaction details at each of the image forming devices, and wherein at least one of the image forming devices is configured to push the transaction details to the tracking device, if not polled, prior to a memory overflow event occurring on the at least one image forming device.

Davidson teaches a plurality of image forming devices, and wherein the tracking apparatus polls the image forming devices to collect transaction details at each of the image forming devices, and wherein at least one of the image forming devices is configured to push the

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transaction details to the tracking device, if not polled, prior to a memory overflow event occurring on the at least one image forming device (col. 1, lines 55-65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Maniwa for collecting transaction details at each of the image forming devices, and wherein at least one of the image forming devices is configured to push the transaction details to the tracking device, if not polled, prior to a memory overflow event occurring on the at least one image forming device as taught by Davidson. The suggestion for modifying the apparatus of Maniwa can be reasoned by one of ordinary skill in the art as set forth by Davidson because the printing system of Maniwa would be reliable by tracking the information of the consumable usage to each user in the network.

As to claim 7, Davidson teaches that a domain controller (NPAP Task 100 in fig. 3), wherein a user submits a print job to the image forming device from the client computer, and wherein the domain controller verifies identification of the user (NPAP recognizes the user ID in order to report the status of the printer, col. 8, lines 30-35).

As to claim 8, Davidson teaches that the image-forming device includes a user interface (i.e., operator panel), and wherein a walk up user (i.e., operator) submits a copy job to the image-forming device via the user interface (col. 10, lines 1-3 and col. 7, lines 35-37).

As to claim 9, Davidson teaches that the user interface includes a reader operative to identify the walk up user (col. 10, lines 1-3).

As to claim 18, Davidson teaches that the data identifying a user and a print job comprises packet data including a user login name and password (col. 2, lines 57-60; col. 6, lines 61-62 and col. 11, lines 11-12).

As to claim 19, Davidson teaches that collecting packet data is carried out at a client personal computer, and further comprising generating a transaction data file including cost accounting information and generating a data file in the memory of the image forming device correlating the data identifying the user, the print job, and the cost accounting information (col. 2, lines 50-60; 14 in fig. 1, col. 6, lines 61-62).

As to claim 20, Davidson teaches that generating a print job comprises requesting a print job from a client computer and forwarding the request over a LAN (15 in fig. 1) to the image-forming device (col. 3, lines 11-14).

6. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Davidson, Jr. et al. (US Patent No. 6,025,925) and Maniwa (US Patent No. 5,933,584).

As to claim 10, Davidson teaches a hard copy output device (13 in fig. 1) usable with LAN (15 in fig. 1) and a client computer (14 in fig. 1), comprising:

Processing circuitry (i.e., NPAP circuitry 100 including NPAP response 137 in fig. 3) associated with the hard copy output device (13 in fig. 1) and operative to receive LAN data packets from the client computer over the LAN (216 in fig. 4A, col. 6, lines 61-62) that identifies a user and a print job (col. 2, lines 58-59); and

Memory coupled with the processing circuitry (NPAP 137 coupled with emulations manager 132 in fig. 3 in which emulations has a memory for storing job accounting information, col. 10, lines 15-17 and col. 17, lines 24-25) and operative to store a data file containing the LAN data packets and consumable usage information (the job accounting information including the

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network user's name, a job identifier number, and the usage information such as job processing time or number of sheets of paper used by each paper source, col. 4, lines 38-46).

However, Davidson does not explicitly teach actual toner usage is contained in the data file.

Maniwa teaches actual toner usage is contained in the data file (col. 13, lines 58-60).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the data file of Davidson for containing the toner usage for each print job as taught by Maniwa. The suggestion for modifying the data file of Davidson can be reasoned by one of ordinary skill in the art as set forth by Maniwa because the printing system of Davidson would be reliable by tracking more optional information of the consumable usage such as the toner usage to each user in the network.

As to claim 11, Maniwa teaches the consumable usage information comprises paper usage and toner usage collected at the hard copy output device corresponding with print job completion (col. 13, lines 29-32)

As to claim 12, Davidson teaches that comprises a user interface configured to enable a user to input a user identification (col. 2, lines 57-58).

As to claim 13, Davidson teaches that cost information is collected at the hard copy output device on a print job by print job basis (note: accounting information is generated at a printer after each print job is done, see fig. 3, col. 10, lines 32-35).

As to claim 14, Davidson teaches that the hard copy output device increments page counts to obtain cost information (the job accounting information including number of sheets of

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paper used by each paper source, the purpose of the page counting for accounting or cost, col. 4, lines 42-43).

As to claim 15, Davidson teaches that an LDAP server (16 or 32 in fig. 1) and a LAN (15 in fig. 1), wherein the LDAP server maintains user information and is operative to implement consumable cost recovery (col. 6, lines 43-50).

Response to Arguments and Amendment

Applicant's amendment, filed 4/10/03, with respect to claims 1-20 have been fully considered but are moot in view of the new ground(s) of rejection. The cited reference of Cuzzo is removed.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
June 24, 2003

